

supported by the Examiner for reasons given by the Examiner.

Additionally, Claim 9 has been amended to recite that the outlet (10) of the reservoir (2) is directly connected to the inlet (6) of the chamber (3) in accordance with FIG. 2 of the drawing and page 3, lines 10-13, of the specification.

The rejection of Claims 4, 5, 8 and 9 under 35 U.S.C. 102 (b) as anticipated by Heskett et al. is considered to lack merit.

The Heskett et al. patent is not considered to teach, or even suggest, the regenerating device defined by even Claim 9, the most generic claim.

Unlike the device defined by Claim 9, the outlet of the reservoir (brine storage tank 22) is not directly connected to the inlet of the chamber for the cartridge (tank 40), but, instead, is connected to accumulator tank 24, which accumulator tank is connected to tank 40.

The rejection of Claim 6 under 35 U.S.C. 103(a) as unpatentable over Heskett et al. is considered to lack merit.

The Heskett et al. patent is not considered to teach, or even suggest, the device defined by Claim 6 for reasons given in regard to parent Claim 9.

Additionally, unlike the device defined by Claim 6, there is no teaching, or even suggestion, in the Heskett et al. patent of the outlet of the brine storage tank being at a higher than the outlet of the chamber holding the cartridge during the operational state of the device. The Examiner's statement that this feature does not materially affect the overall operation of the device is considered to be in error in view of page 2, lines 24-26 of the specification where the advantage of employing this feature is pointed out. It is also considered that the Examiner's statement that this feature is an obvious choice in design is without merit in the absence of the citation of any prior art showing this feature employed in any similar regenerating device.

The rejection of Claim 7 under 35 U.S.C. 103(a) as unpatentable over Heskett et al. in view of Prior is considered to lack merit

The Heskett et al. patent is not considered to teach, or even suggest, the regenerative device defined by Claim 7, for reasons given in regard to parent Claim 6 and for failure to teach or, even suggest, the presence of a filter in the flow path of the solution between the outlet of the reservoir for the solution and the inlet of the chamber for the cartridge.

Prior is considered to fill none of these gaps in the teaching of the Heskett et al. patent and is not considered to be pertinent as it is not directed to the art of regenerating an ion exchange cartridge or even an analogous art.

An early allowance of the claims and case is requested.

The Commissioner is hereby authorized to credit any overpayment or charge any fee (except the issue fee) to Account No. 14-1270.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

On Feb. 21, 2002

By Norman N. Spain

APPENDIX

9. (Twice Amended) A device for regenerating an ion exchange cartridge (16), which cartridge ~~(16)~~ (16) is provided with an inlet (20) and an outlet (21), characterized in that the device is provided with a reservoir (2) for the accommodation of a solution (26) in which alkali metal ions and chloride ions are present, said reservoir (2) provided with an outlet (10) to which the inlet (20) of the cartridge (16) can be connected, a chamber (3), in which the cartridge (16) can be placed, provided in the device, said chamber (3) provided with an inlet (6) and an outlet ~~(7)~~ (7), said inlet (6) of the chamber (3) being directly connected to the outlet (10) of the reservoir (2), said inlet (6) and said outlet (7) of the chamber (3) coupled to the inlet (20) and the outlet (21), respectively of the cartridge (16) when the cartridge (16) is placed in the chamber (30) and ~~an adjustable~~ restriction ~~(27)~~ (27) provided in the flow path of the solution situated between the outlet (10) of the reservoir (2) and the inlet (7) of the chamber (3).